

Remarks

Applicants hereby elect Group I, Claims 2-13 (Claim 1 being examined with this group as a result of this election), with traverse.

Groups II and I have been identified to be related as process of making and product made, further stating that the black compound can be made by the use of two or more than two ionic components or by adding carbon black or another inorganic pigment to the mixture.

It is respectfully submitted that both sets of claims require the key features of having an ionic dye component having an apparent color characteristic; a first dye counterion component having a known color characteristic that exhibits a color difference from the ionic dye component of at least about 10 ΔE^* units; and a colorless counterion component. In both groups according to the restriction requirement, the ionic dye component is ionically complexed with the first dye counterion component and colorless counterion component in a predetermined ratio to form an ionically complexed colorant compound exhibiting a predetermined color.

Thus, the process as claimed must produce a product having an ionic dye component, a first dye counterion component having a known color characteristic that exhibits a color difference from the ionic dye component of at least about 10 ΔE^* units; and a colorless counterion component. Similarly, the product as claimed must have an ionic dye component, a first dye counterion component having a known color characteristic that exhibits a color difference from the ionic dye component of at least about 10 ΔE^* units; and a colorless counterion component. Notwithstanding the possibility of additionally incorporating ingredients such as carbon black or inorganic pigment in either the compound claims or the process claims as noted in the Restriction Requirement, the fundamental commonality noted above dictates that these groups should not be restricted. Further, it is respectfully submitted that, in view of this substantial commonality, the search for the subject matter of one of these groups will necessitate a search of the subject matter of the other group. No substantial burden is therefore seen in consideration of both of these groups in a single application.

Groups III, IV and V have been identified to be unrelated, further stating that inventions are unrelated if they are not disclosed to be capable of use together and they have different modes of operation, function or effects. The Restriction Requirement further states that the

groups present different inventions because the coating compositions of Group III cannot function as inks or toners. It is respectfully submitted that all of these groups have a common mode of operation, function or effect in that they all use the component features recited in claim 1, which achieves its color by the unique approach of having oppositely charged dye components of different apparent color, and additionally a colorless component, all complexed together in a predetermined ratio to provide a unique predetermined color. Further, it is respectfully submitted that, in view of this substantial commonality, the search for the subject matter of one of these groups will necessitate a search of the subject matter of the other groups. No substantial burden is therefore seen in consideration of these groups in a single application.

Groups II is stated to be unrelated to Groups III, IV or V because "the process does not result in the product of any of those claims." As noted above, all of Groups III, IV and V have a common mode of operation, function or effect in that they all use the colorant of claim 1. As also noted above, the process of group II as claimed must produce a product of claim 1, in that the product has an ionic dye component, a first dye counterion component having a known color characteristic that exhibits a color difference from the ionic dye component of at least about 10 ΔE^* units; and a colorless counterion component. Thus, the process as claimed in Group II is related to Groups III, IV and V. Further, it is respectfully submitted that, in view of this substantial commonality, the search for the subject matter of one of these groups will necessitate a search of the subject matter of the other groups. No substantial burden is therefore seen in consideration of these groups in a single application.

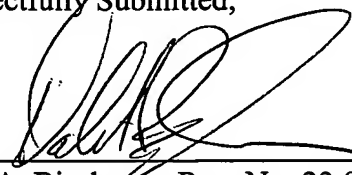
Groups I and (Groups III, IV or V) are stated to be related as mutually exclusive species in an intermediate-final product relationship. As noted above, all groups have the commonality that they comprise a colorant comprising an ionic dye component, a first dye counterion component having a known color characteristic that exhibits a color difference from the ionic dye component of at least about 10 ΔE^* units; and a colorless counterion component. It is respectfully submitted that, in view of this substantial commonality, the search for the subject matter of one of these groups will necessitate a search of the subject matter of the other groups. No substantial burden is therefore seen in consideration of these groups in a single application.

Conclusion

In view of the above election and remarks, it is respectfully submitted that the foregoing is fully responsive to the outstanding Restriction Requirement. Early favorable consideration and passage of the above application to issue is earnestly solicited. In the event that a phone conference between the Examiner and the Applicant's undersigned attorney would help resolve any issues in the application, the Examiner is invited to contact said attorney at (651) 275-9811.

Respectfully Submitted,

Dated: March 24, 2006

By: 
Dale A. Bjorkman, Reg. No. 33,084
Customer No. 33072
Phone: 651-275-9811
Facsimile: 651-351-2954